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SEP 24 2007

UTAH DIVISION OF
SOLID & HAZARDOUS WASTE

Hand Delivered

September 24, 2007

Mr. Dennis Downs, Director
Division of Solid and Hazardous Waste
Utah Department of Environmental Quality
PO Box 144880
Salt Lake City, UT 84114-4880

Re: Request to Modify the Used Oil Transfer Facility Permit UOP-0047-97
Safety-Kleen Systems, Inc. 1066 South Pioneer Road Branch

Dear Mr. Downs:

Pursuant to Condition 19 of the Used Oil Transfer Facility Permit UOP-0047-97, Safety-Kleen Systems, Inc., respectfully requests that this permit be modified as shown in the attached document. This request is in place of the request submitted October 6, 2007. A summary of the requested changes are as follows:

1. Update the Permittee Name, Address and add a Facility Contact name and phone numbers and correct the EPA ID number.
2. Modify Condition 4 to reference the Permittee's used oil transporter permit to satisfy this condition.
3. Modify Condition 5 to allow at the 1066 S Pioneer location:
 - a. the use of containers that are in good condition to store used oil instead of DOT approved drums;
 - b. storage of used oil in any secure area of the facility with secondary containment.

A stipulation is included that the volume of used oil containers plus the volume of RCRA Hazardous Waste containers in the permitted storage area cannot exceed the permitted volume of hazardous waste containers at the facility. This assumption was used in the development of the RCRA Closure Cost estimate for this location and thus this modification does not require a change to the closure cost estimate.

4. Modify Condition 13 to reference the approved plan associated with the Permittee's used oil transporter permit to satisfy this condition as well as stating that the facility will not market used oil for fuel without first developing an analysis plan as required by R315-15-7.3 UAC.
5. Add to Condition 16 a statement that specifies the use of the facility's RCRA Hazardous Waste Certificate of Liability to meet the condition and to stipulate that if the Permittee should close the RCRA facility that the Permittee will submit a certificate just for the used oil operations.

SAFETY-KLEEN SYSTEMS, INC.

1066 S. PIONEER ROAD

SALT LAKE CITY, UT 84104

TEL 801.975.0742

FAX 801.972.6882



Mr. Dennis Downs
September 24, 2007
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6. Add to Condition 20 a statement that specifies that this condition is met through the facility's RCRA closure plan and financial assurance mechanism and to stipulate that if the Permittee should close the RCRA facility that the Permittee will submit a closure plan and financial assurance mechanism just for the used oil operations.
7. Make corrections in spelling and punctuation.

If you have any questions, or require any additional information, please contact me at 402-630-4261.

Sincerely,

A handwritten signature in black ink, appearing to read "Randy Shaner", written in a cursive style.

Randy Shaner
EHS Manager
Safety-Kleen Systems Inc.

UTAH DIVISION OF SOLID AND HAZARDOUS WASTE

USED OIL TRANSFER FACILITY PERMIT APPROVAL

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PERMITTEE NAME Safety-Kleen Systems, Inc.

PERMITTEE ADDRESS 5400 Legacy Drive, Cluster II, Building 3
Plano, TX 75024

FACILITY ADDRESS 1066 South Pioneer Road
Salt Lake City, UT 84104

FACILITY CONTACT Mike Blanchard or Current Facility Manager
Phone: 801-975-0742
Fax: 801-972-6882

TYPE OF PERMIT Used Oil Transfer Facility Permit

PERMIT # UOP-0047-97

EPA I.D. # UTD 980957088

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The permit application submitted by Safety-Kleen Corp. on November 12, 1996, and supplemental information regarding the permit application submitted thereafter, are hereby incorporated by reference into this used oil transfer facility permit. All representations made in the permit application are a part of this permit. Where differences in wording exist between this permit and the application, the permit wording supersedes that of the application.

By this permit approval to operate, Safety-Kleen Systems, Inc. (hereafter referred to as Permittee) shall be subject to the following conditions:

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1. General Operation. The Permittee shall transport/collect and store used oil in accordance with all applicable requirements of R315-15 of the Utah Administrative Code (UAC) and of the Used Oil Management Act (19-6-701 et seq) Utah Code Annotated unless otherwise noted in this permit. Any noncompliance with the permit or rules, other than activities authorized by a variance, constitutes a violation of the permit approval and is grounds for enforcement action, permit termination, revocation and reissuance, modification, or denial of a permit renewal application.

2. Noncompliance. In the event of noncompliance with the permit or rules, the Permittee shall take all reasonable steps to minimize releases to the environment, and shall carry out such measures as are necessary to protect public health and the environment. It shall not constitute a defense, for the Permittee in an enforcement action, that it would have been necessary to halt or reduce the Permittee activity in order to maintain compliance with the conditions of this permit.

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3. Used Oil Transportation/Collection. All used oil transported/collected will be obtained by a licensed driver of the Permittee. The Permittee shall comply with R315-15-4.4 UAC, Department of Transportation regulations, and all local government regulations on all used oil collected and transported.

4. Collection Operations. The Permittee shall be allowed to transport/collect used oil in vacuum trucks, licensed transport trucks, and rail tankers in the manner described in current revision of the Permittee's used oil transporter permit (Permit Number UOP-0050-xx).

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5. Location and Storage. Under this permit, the Permittee shall, at the Permittee's transfer facility at 1066 South Pioneer Road, Salt Lake City, Utah, only store used oil in containers that are (1) In good condition, with no severe rusting, apparent structural defects, or deterioration; and (2) Not leaking (no visible leaks) in the following areas as long as there is secondary containment for the used oil containers:

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- a. The covered warehouse in the same building as the facility offices;
- b. Any outside area within the fenced portion of the facility;
- c. The covered storage shed that is within the fenced portion of the facility and
- d. Any of Safety-Kleen's transportation vehicles.

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The combined volume of hazardous waste stored in the two RCRA permitted storage areas plus the volume of used oil containers stored in approved locations, including the three drums authorized at the 300 South 2650 West, Salt Lake City, UT used oil rail site, shall not exceed 7,800 gallons (the permitted capacity of the two RCRA storage areas). The Permittee shall comply with the used oil storage requirements in R315-15-4.6 UAC.

6. Inspection. The type of transport/collector and storage equipment outlined in this permit shall be used. The transportation/collection and storage equipment will be subject to inspection by the State, local health departments, or both. A record of the inspection may be made by photographic, videotape, electronic, or other reasonable means.

7. Inspection Access. Any duly authorized officer, employee or representative of the Department of Environmental Quality or the Utah Solid and Hazardous Waste Control Board may, at any reasonable time and upon presentation of appropriate credentials and upon providing the opportunity to have a representative of the owner, operator, or agent in charge to be present, upon inspection of the Permittee's transfer facility and any used oil transportation collection equipment and may have access to and the right to copy any records relating to used oil for the purpose of ascertaining the compliance with the applicable provisions of R315-15 UAC and the Used Oil Management Act (19-6-701, et. seq.).

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8. Prohibited Waste. No quantity of hazardous waste, as defined by R315-1 and R315-2 UAC, or PCB's, as defined by R315-301-2(52) UAC, shall be mixed with used oil by the Permittee. Used oil shall not be stored in tanks previously used to store hazardous waste unless these tanks are emptied as described in R315-2-7.

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9. Revocation. Violation of any permit/registration conditions or failure to comply with any provisions of the applicable statutes and rules shall be grounds for imposing statutory sanctions, including revocation of the permit or registration, denial of an application for permit or registration. The Executive Secretary shall notify, in writing, the owner or operator of any facility of intent to revoke a permit or registration.

10. Effective Date. This permit shall become effective on the date the permit is signed by the Executive Secretary of the Utah Solid and Hazardous Waste Control Board.

11. Expansion. Any expansion of the transfer facility or operations at the transfer facility beyond those designated by the permit application will require submittal of an amended permit application in accordance with the requirements outlined in R315-15 UAC. The Permittee may not begin storing any additional used oil at this transfer facility until approval of the amended permit is received from the Executive Secretary of the Utah Solid and Hazardous Waste Control Board.

12. Training. The Permittee shall provide and document spill plan training for the licensed drivers of the transportation/delivery trucks and facility operators associated with the used oil operations at this transfer facility. This training will include identification of used oil, spill plan requirements, and personal safety and protection.

13. Sampling and Statistical Analysis. The Permittee shall develop a written plan describing the procedures that will be used to comply with the analysis requirements of R315-15-4.5 UAC. The Permittee's approved plan associated with its current Used Oil Transfer permit (UOP-50-xx) satisfies this condition. Prior to marketing used oil for fuel, the Permittee shall develop a written plan describing the procedures that will be used to comply with the analysis requirements of R315-15-7.3 UAC.

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14. Recordkeeping. The Permittee shall maintain all applicable records required by R315-15 UAC on-site or at another location approved by the Executive Secretary for a minimum of 3 years.

15. Reporting. As required by R315-15-13.4(d) UAC, the Permittee shall prepare and submit an Annual Report to the Executive Secretary by March 1 of the following year which shall include the information required by the Annual Report for Used Oil Transporters and Transfer Facilities (Form UO 004).

16. Liability/Financial Requirements. Prior to operation, the Permittee shall demonstrate financial responsibility as required by R315-15-10 UAC, and maintain liability coverage for any liability resulting from accidental spill or mishandling of used oil; e.g., bodily injury, property damage, and damage to third parties arising from operations of the facility or group of facilities. The Permittee fulfills this requirement by maintaining its Hazardous Waste Facility Certificate of Liability Insurance required by R315-8-8 UAC as allowed by R315-15-10 UAC. Should the Permittee close its RCRA

facility and maintain its used oil transporter operations, the Permittee shall submit a certificate of liability insurance to meet this permit condition prior to relinquishing the RCRA certificate.

17. **Transfer.** This permit may not be transferred to another party or parties without prior written approval of the Executive Secretary.

18. **Status Notification.** Every twelve months from the date of this permit, the Executive Secretary shall be notified in writing of the operational status of the business until such time the company has ceased doing business and the closure of the business has been completed.

19. **Permit Modifications.** Modifications to this permit may be made by the Executive Secretary as necessary or as a result of statutory or regulatory changes. If the Permittee desires to make major modifications to the permit, the changes shall be submitted to the Executive Secretary for evaluation 20 days prior to the proposed change. If the Executive Secretary determines that the modifications are substantive, a public hearing may be required before the modifications are approved. If the Permittee desires to make minor informational changes (e.g., telephone number, responsible party, mailing address, etc.), the Permittee shall notify the Executive Secretary in writing of these changes. The Permittee shall be given written notice of any permit modifications or approvals.

20. **Reclamation Surety.** The Permittee is required to comply with all applicable requirements of R315-15-12. The closure plan / closure cost estimate and surety financial assurance requirements are satisfied by the Closure Plan and Financial Assurance for Closure approved as part of Safety-Kleen's 1066 Pioneer Road facility's RCRA Part B permit. Utilizing the RCRA Closure Plan and Financial Assurance for Closure instead of having a separate used oil closure plan and financial assurance mechanism is allowed by R315-15-11.1(c) and R315-15-12.3(c). Should the Permittee close its RCRA facility and maintain its used oil transfer facility operations, the Permittee shall submit separate documents to meet this permit condition.

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21. **Other Laws.** Nothing in this permit shall be construed to relieve the Permittee from the Permittee's obligation to comply with any federal, state, or local law.

Signed _____ Date _____, 1997

Dennis R. Downs, Executive Secretary
Utah Solid and Hazardous Waste Control Board

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UTAH DIVISION OF SOLID AND HAZARDOUS WASTE
USED OIL TRANSFER FACILITY PERMIT APPROVAL

PERMITTEE NAME	Safety-Kleen Systems, Inc.
PERMITTEE ADDRESS	5400 Legacy Drive, Cluster II, Building 3 Plano, TX 75024
FACILITY ADDRESS	1066 South Pioneer Road Salt Lake City, UT 84104
FACILITY CONTACT	Mike Blanchard or Current Facility Manager Phone: 801-975-0742 Fax: 801-972-6882
TYPE OF PERMIT	Used Oil Transfer Facility Permit
PERMIT #	UOP-0047-97
EPA I.D. #	UTD 980957088

The permit application submitted by Safety-Kleen Corp. on November 12, 1996, and supplemental information regarding the permit application submitted thereafter, are hereby incorporated by reference into this used oil transfer facility permit. All representations made in the permit application are a part of this permit. Where differences in wording exist between this permit and the application, the permit wording supersedes that of the application.

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2. Noncompliance. In the event of noncompliance with the permit or rules, the Permittee shall take all reasonable steps to minimize releases to the environment, and shall carry out such measures as are necessary to protect public health and the environment. It shall not constitute a defense, for the Permittee in an enforcement action, that it would have been necessary to halt or reduce the Permittee activity in order to maintain compliance with the conditions of this permit.

3. Used Oil Transportation/Collection. All used oil transported/collected will be obtained by a licensed driver of the Permittee. The Permittee shall comply with R315-15-4.4 UAC, Department of Transportation regulations, and all local government regulations on all used oil collected and transported.

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- a. The covered warehouse in the same building as the facility offices;
- b. Any outside area within the fenced portion of the facility;
- c. The covered storage shed that is within the fenced portion of the facility and
- d. Any of Safety-Kleen's transportation vehicles.

The combined volume of hazardous waste stored in the two RCRA permitted storage areas plus the volume of used oil containers stored in approved locations, including the three drums authorized at the 300 South 2650 West, Salt Lake City, UT used oil rail site, shall not exceed 7,800 gallons (the permitted capacity of the two RCRA storage areas). The Permittee shall comply with the used oil storage requirements in R315-15-4.6 UAC.

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Signed _____ Date _____, 1997

Dennis R. Downs, Executive Secretary
Utah Solid and Hazardous Waste Control Board

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